

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

MICHAEL DOHERTY,)
ALAN HOLMES, and)
LOCAL 4053, INTERNATIONAL)
ASSOCIATION OF FIRE FIGHTERS,)
)
Plaintiffs,)
)
v.) No.: 3:07-CV-157
) (VARLAN/SHIRLEY)
CITY OF MARYVILLE,)
)
Defendant.)

ORDER

This matter is before the Court on the Report and Recommendation filed by United States Magistrate Judge C. Clifford Shirley on August 19, 2010 [Doc. 125]. There have been no timely objections to the Report and Recommendation by plaintiffs or defendant, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After careful review of this matter, the Court is in agreement with Magistrate Judge Shirley's recommendations, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation [Doc. 125] and plaintiffs' petition for award of expenses [Doc. 117] pursuant to 42 U.S.C. § 1988 is hereby **GRANTED in part** and **DENIED in part**. Further, and in accordance with Judge Shirley's findings, plaintiffs shall receive an award of **\$8,626.69** in expenses. The Clerk of

Court is also **DIRECTED** to make a final determination of allowable costs pursuant to the Local Rules and 28 U.S.C. § 1920.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE